

AFFIDAVIT

1. On January 27, 2024, ATF Special Agents (SAs), along with Officers of the El Paso Police Department (EPPD) Gang Unit, and Texas Department of Public Safety (DPS), conducted an undercover surveillance operation at a business in the Western District of Texas. SA's observed a male identified as Adam ETWAROO (W /M, DOB: 10/01/1984) carrying numerous boxes of ammunition to the trunk of his vehicle.
2. SA's conducted surveillance of ETWAROO and observed him with two other individuals. Through investigative analysis, ETWAROO was found to have a Multiple Sales Report taking place on 11/09/2023. (It should be noted, Multiple Sales Reports can be an indicator of illegal firearms trafficking). SA's walked past ETWAROO and the two individuals he was with. SA's noticed there was a strong odor of marijuana emitting from the area of where they were standing. SA's believed the odor to be marijuana based on prior law enforcement training and experience.
3. SA's followed ETWAROO and observed him placing several cases of ammunition into the trunk of his vehicle. ETWAROO and the two individuals left, and shortly after, DPS and EPPD Officers initiated a traffic stop for speeding. Due to the smell of marijuana, DPS searched the vehicle and located two (2) firearms, several cases of ammunition, and a small amount of marijuana.
4. SA's arrived at the location of the traffic stop and met with ETWAROO and two other occupants hereinafter referred to as Occupant 1&2. SA's conducted an interview of Occupant 1. During the interview, SA's learned ETWAROO, lives in El Paso, Texas, and is involved in an illegal firearm trafficking scheme. ETWAROO purchases firearms locally in El Paso and meets with Occupant 1 who brokers deals between ETWAROO and buyers from Mexico.
5. Occupant 1 stated they had purchased numerous firearms from ETWAROO, later selling them to buyers associated with members of a cartel. Occupant 1 informed SA's, ETWAROO was the source for these firearms. Occupant 1 explained that ETWAROO

had a "gun store person" who sold ETWAROO the firearms. ETWAROO would then sell these firearms to Mexican buyers. Occupant 1 stated they were responsible for setting up the meeting between ETWAROO and buyers, which took place in different parking lots located in El Paso, Texas area. Occupant 1 stated they get ten percent (10%) of the profits from every deal and has made approximately \$5,000 in total. Occupant 1 stated the "buyers" would contact the occupant and request firearm orders on what the "buyer" needs. The "buyers" would then have Occupant 1 set up the transactions with ETWAROO who was responsible for fulfilling the orders. The "buyers" would purchase said firearms and take them to Juarez, Mexico. Occupant 1 provided SA's written consent to search their phone. SA's conducted an extraction of the phone and uncovered messages of ETWAROO discussing firearm sales with buyers from Mexico.

6. On January 27, 2024, SA's using an undercover agent (UC) and confidential informant (CI) facilitated an undercover purchase for two (2) AR-style rifles from ETWAROO. The UC agent and CI met ETWAROO at his residence in the Western District of Texas to complete the purchase of two AR-style rifles.
7. The UC and CI parked in front of ETWAROO's residence and contacted him to make the sale. ETWAROO informed the UC and CI he would be a late, due to him looking for parts to assemble the rifles. The UC and CI later met with ETWAROO in his garage and purchased both rifles for a total price of \$1700.
8. During the sale, the UC discussed future purchases with ETWAROO. ETWAROO stated he was able to gather and sell additional firearms as needed. The undercover agent reviewed one of the rifles and found it to be missing a part. ETWAROO explained the firearm would still function as he has already test fired it. The UC agent discussed the rifle, and deliberately stated the buyers down in Mexico will not be happy with the rifle if there is a malfunction. ETWAROO acknowledged the statement and reassured the UC the rifle would fire. ETWAROO told the UC to contact him if there were any issues with the firearms so he could make repairs. ETWAROO provided the UC with a small baggy containing the specific part needed to complete the firearm bolt catch/magazine release

mechanism.

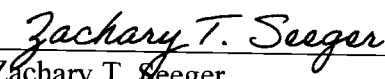
9. The UC asked ETWAROO if he was still good for the fifteen-firearm deal facilitated through prior conversations with the CI. ETWAROO replied by stating, he could sell four to five firearms at a time. ETWAROO stated a guy (unidentified individual believed to be a Federal Firearms Licensee) was cooperating with him to provide firearms. ETWAROO stated, due to the ATF seizing one of the firearms on the aforementioned traffic stop, he believes the FFL will not want to sell him additional firearm or parts. ETWAROO stated this is why it would be tough to piece 15 rifles together at once. ETWAROO confirmed with the UC, he was still capable of selling four or five at a time. ETWAROO explained he would have to go to pawn shops, look for people selling, and look on webpages for ARs. Your affiant conducted an investigative query to learn ETWAROO has not applied for, nor does he currently possess, a Federal Firearms License. Your affiant also learned; ETWAROO does not possess a Special Occupational Tax (SOT) to deal in National Firearms Act (NFA) Firearms.
10. On February 14, 2024, Adam ETWAROO contacted the UC regarding the sale of nine (9) AR-style rifles for \$10,000. ETWAROO informed the UC one of the nine (9) rifles was a "rapid fire" (ETWAROO described "rapid fire" by stating he was replacing some parts to make the rifle shoot as fast as possible). The UC agreed to the deal. ETWAROO informed the UC he would get the rifles ready for sale. ETWAROO sent videos to UC of him test-firing the rifles.
11. On February 15, 2024, ATF SA's obtained a federal search warrant and installed a GPS tracking device on ETWAROO's vehicle. Your affiant monitored the device which showed ETWAROO making various stops at local gun dealers and residences within El Paso County, Western District of Texas.
12. On February 21, 2024, at approximately 1550 hours, ATF SA's initiated surveillance of ETWAROO's residence. At approximately 1620 hours, the UC arrived at ETWAROO's residence in an ATF undercover vehicle to meet with ETWAROO to purchase nine (9) rifles. ETWAROO exited the residence and met with the UC. The UC backed the UC

vehicle into ETWAROO's garage. Once inside, ETWAROO closed the garage door.

13. The UC and ETWAROO began discussing the firearms ETWAROO was selling. The UC transferred \$10,000 to ETWAROO for the rifles. ETWAROO counted the money and then assisted the UC in loading the firearms into the trunk of the UC vehicle. ETWAROO informed the UC; he would contact the UC once he acquired more rifles for future deals.
14. Based on the aforementioned facts and circumstances, your affiant believes probable cause exists that Adam ETWAROO did attempt or conspire to commit; ship, transport, transfer, cause to be transported, or otherwise dispose of any firearm to another person in or otherwise affecting interstate or foreign commerce, if such person knows or has reasonable cause to believe that the use, carrying, or possession of a firearm by the recipient would constitute a felony (as defined in section 932(a); receive from another person any firearm in or otherwise affecting interstate or foreign commerce, if the recipient knows or has reasonable cause to believe that such receipt would constitute a felony in violation of Title 18 U.S.C. § 933. Your affiant consulted with an ATF interstate nexus expert who confirmed the purchased firearms were not manufactured in the state of Texas, therefore affecting interstate commerce.

FURTHER THE YOUR AFFIANT SAYETH NOT.

Respectfully submitted,



Zachary T. Seeger
Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives (ATF)

Subscribed and sworn to ^{telephonically} ~~before me~~
This 5th day of March 2024. at 4:48 p.m.



MIGUEL A. TORRES
UNITED STATES MAGISTRATE JUDGE